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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/337,546	06/22/1999	SHIGEKI HIROOKA	35.G2410	9128

5514 7590 10/03/2002

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EXAMINER

NEURAUTER, GEORGE C

ART UNIT	PAPER NUMBER
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2158

DATE MAILED: 10/03/2002

3

Please find below and/or attached an Office communication concerning this application or proceeding.

7m

Office Action Summary

Application No.

09/337,546

Applicant(s)

HIROOKA, SHIGEKI

Examiner

George Neurauter

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-40 rejected under 35 U.S.C. 102(e) as being anticipated by Thurlow et al. [US Patent 5 917 489].

Regarding claim 1, Thurlow discloses an e-mail processing method comprising the steps of: identifying a type of data of a received e-mail; and determining whether not the received e-mail is to be utilized in accordance with the identified type of data. [column 9, lines 15-61; column 10, lines 1-54]

Regarding claim 2, Thurlow discloses a method according to Claim 1, further comprising the steps of: registering an arbitrary type of data in advance; and determining that the e-mail is to be utilized when the identified type of data coincides with the registered type of data. [column 10, line 39-column 13, line 28]

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Regarding claim 3, Thurlow discloses a method according to Claim 1, wherein, when it has been determined that the e-mail is to be utilized, the email is preserved as a file. [column 12, lines 21-44, specifically Table II, the lines reading "File it in the designated folder" and "File a copy in the designated folder"]

Regarding claim 4, Thurlow discloses a method according to Claim 1, wherein, when it has been determined that the e-mail is not to be utilized, the e-mail is not preserved. [column 12, lines 21-44, specifically Table II, the line reading "Delete it"]

Regarding claim 5, Thurlow discloses a method according to Claim 1, wherein, when it has been determined that the e-mail is not to be utilized, the e-mail is read and then abandoned. [column 12, lines 21-44, specifically Table II, the line reading "File it in the designated folder"]

Regarding claim 6, Thurlow discloses a method according to Claim 5, wherein a presence of an e-mail to be read and then abandoned is notified for external use. [column 6, lines 1-7; column 7, lines 15-22]

Regarding claim 7, Thurlow discloses a method according to Claim 1, wherein, when it has been determined that the e-mail is not to be utilized, reception of the e-mail is interrupted. [column 7, lines 54-65; column 16, lines 63-column 17, line 9]

Regarding claim 8, Thurlow discloses a method according to Claim 1, wherein a presence of an e-mail which has been determined not to be utilized is notified for external use. [column 12, lines 21-44, specifically Table II, the line reading "Notify me using a specific message"]

Regarding claim 9, Thurlow discloses a method according to Claim 1, wherein identification of the type of data is performed for each of a plurality of data contained in the e-mail. [column 10, lines 9-18; column 10, line 55-column 11, line 17, including Table I]

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Regarding claim 10, Thurlow discloses a method according to Claim 1, wherein when it has been determined that the e-mail is not to be utilized, a subsequent process is selectable from among a plurality of predetermined processes. [column 15, line 60-column 16, line 6]

Regarding claim 11, Thurlow discloses a method according to Claim 1, wherein the type of data comprises a text. [column 10, line 55-column 11, line 17, specifically Table I, the line reading "if the subject or body contain specific words"]

Regarding claim 12, Thurlow discloses a method according to Claim 1, wherein the type of data comprises an image. [column 10, line 55-column 11, line 17, specifically Table I, the line reading "if it has an attachment"]

Regarding claim 13, Thurlow discloses a method according to Claim 1, wherein the identification of the type of data is performed by analyzing the received e-mail. [column 9, lines 14-16]

Regarding claim 14, Thurlow discloses a method according to Claim 1, wherein a character string is retrieved from the received e-mail, and the type of data is identified according to a reference character string specified based on a position in the received e-mail where the retrieved character string is present. [column 7, lines 38-53; column 10, line 55-column 11, line 17, specifically Table I, the line reading "if the subject or body contain specific words"]

Claims 15-28 and 29-40 are also rejected under 35 USC 102(e) since the claims are essentially identical. Claims 15-28 are essentially identical to claims 1-14 respectively, claims 29-38 are essentially identical to claims 1-10 respectively, and claims 39-40 are essentially identical to claims 13-14 respectively.

Conclusion

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3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents show the state of the art in email filtering:

US Patent 6 052 709 to Paul;

US Patent 5 826 022 to Nielsen;

US Patent 5 999 967 to Sundsted;

US Patent 5 978 566 to Plank et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Neurauter whose telephone number is 703-305-4565. The examiner can normally be reached on Mon-Fri 8am-4:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-7240.

gcn
September 20, 2002


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100